

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JOSE I. ZAPATA,

Petitioner/Defendant,

vs.

UNITED STATES OF AMERICA,

Respondent/Plaintiff.

§
§
§
§
§
§
§
§

FILED
April 11, 2006

CLERK, U.S. DISTRICT COURT

Criminal Action No. 3:93-CR-285-R (09)

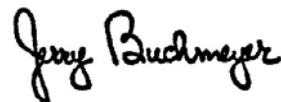
ORDER

United States Magistrate Judge Jeff Kaplan filed Findings, Conclusions and a Recommendation in this case on January 11, 2006. Petitioner, Jose I. Zapata, filed objections to the Findings, Conclusions and Recommendation of the United States Magistrate Judge on January 20, 2006.

After reviewing Magistrate Judge Kaplan's Findings, Conclusions, and Recommendation pursuant to 28 U.S.C. §636(b) along with Petitioner's objections to those findings, this Court is of the opinion that the Findings, Conclusions and Recommendation are correct and are hereby **ADOPTED** as the Findings of this Court. Consequently, Defendant's motion for relief from judgment will be treated as a second motion to correct, vacate, or set aside sentence under 28 U.S.C. §2255.

It is so **ORDERED**.

ENTERED: April 11, 2006.



**JUDGE JERRY BUCHMEYER
SENIOR U.S. DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS**